

### **REMARKS**

The Examiner is thanked for the performance of another thorough search.

No claims have been added, cancelled, or amended. Hence, Claims 1-24 are pending in the application.

### **SUMMARY OF THE REJECTIONS**

Claims 1-24 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 1-72 of U.S. Patent No. 6,665,684 to Zait et al. ("Zait") in view of U.S. Patent No. 6,415,286 to Passera et al. ("Passera"). The rejections are traversed.

### **THE REJECTIONS BASED ON THE PRIOR ART**

#### **Claims 1-20**

Claim 1 requires, *inter alia*, "**at a particular node** of said plurality of nodes, **performing the steps of:** partitioning the one or more first-phase partition-pairs distributed to the particular node to produce a set of second-phase partition-pairs; and **assigning each second-phase partition pair** from the set of second-phase partition pairs **to a separate slave process.**" Thus, the separate slave processes are at a particular node.

However, Zait's claims do not expressly recite separate slave processes at a particular node. The Office Action seems to acknowledge this, and relies upon Passera to disclose this feature, allegedly.

However, Passera does not teach or suggest this feature. Passera does not teach or suggest **separate slave processes at a particular node**. Instead, Passera discloses

splitting a data space between separate **processors** without teaching or suggesting anything about whether the data space is also split among **processes at a particular node**. Passera's FIG. 1 shows **processors** (not processes) among which partitions of the data space are distributed. Each processor includes its own separate CPU and RAM (col. 5, lines 59-61). Although the word "processor" is often used to refer to a "microprocessor" or CPU, Passera's disclosure that processors **include** CPUs and RAM makes it clear that Passera uses the word "processor" to mean "machine" or "computer," which also typically includes CPUs and RAM. Passera does not teach or suggest that any particular machine executes multiple separate slave processes, to each of which is assigned a separate partition of the data space.

Merely partitioning data among a plurality of machines, without partitioning data among the several microprocessors of multi-microprocessor machines within the plurality, fails to ensure that the processing resources of such multi-microprocessor machines will be utilized effectively to process that data in a parallel manner.

Thus, there exists at least one feature of Claim 1 that the claims of Zait do not expressly recite and that Passera fails to teach or suggest. For at least the reasons discussed above, it is respectfully submitted that Claim 1 is patentable over Zait and Passera.

By virtue of their dependence from Claim 1, Claims 2-10 include the features of Claim 1 distinguished from Zait and Passera above. Therefore, it is respectfully submitted that Claims 2-10 are patentable over Zait and Passera for at least the reasons discussed above in relation to Claim 1.

Claims 11-20 recite computer-readable media that carry instructions for performing the steps of the methods of Claims 1-10, respectively. Therefore, it is

respectfully submitted that Claims 11-20 are patentable over Zait and Passera for at least the reasons discussed above in relation to Claims 1-10.

#### **Claims 21-24**

Claim 21 requires, *inter alia*, “**broadcasting** each tuple only to a **group of slave processes** assigned to the static partition to which the tuple is mapped.” Zait’s claims do not expressly recite broadcasting a tuple to a group of slave processes. Although the Office Action refers to col. 9, lines 10-24 of Passera in the rejection of Claim 21, and these lines discuss **distributing** records to **processors**, these lines do not appear to say anything about **broadcasting** a tuple to a **group of processes**. “Distributing” is not the same as “broadcasting to a group.” “Processors” are not “processes.”

Thus, there exists at least one feature of Claim 21 that the claims of Zait do not expressly recite and that Passera fails to teach or suggest. For at least the reasons discussed above, it is respectfully submitted that Claim 21 is patentable over Zait and Passera.

By virtue of its dependence from Claim 21, Claim 22 includes the features of Claim 21 distinguished from Zait and Passera above. Therefore, it is respectfully submitted that Claim 22 is patentable over Zait and Passera for at least the reasons discussed above in relation to Claim 21.

Claims 23 and 24 recite computer-readable media that carry instructions for performing the steps of the methods of Claims 21 and 22, respectively. Therefore, it is respectfully submitted that Claims 23 and 24 are patentable over Zait and Passera for at least the reasons discussed above in relation to Claims 21 and 22.

CONCLUSION

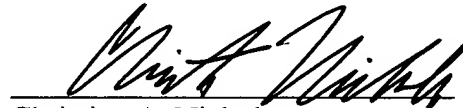
For the reasons set forth above, it is respectfully submitted that all of the pending claims are in condition for allowance. Therefore, the issuance of a formal Notice of Allowance is believed next in order, and that action is most earnestly solicited.

The Examiner is respectfully requested to contact the undersigned by telephone if it is believed that such contact would further the examination of the present application.

Please charge any shortages or credit any overages to Deposit Account  
No. 50-1302.

Respectfully submitted,

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450

on December 20, 2004

by

